#### TEXAS TRANSPORTATION COMMISSION

ALL Counties MINUTE ORDER Page 1 of 1

**ALL** Districts

In the city of McKinney, <u>COLLIN COUNTY</u>, on <u>FARM TO MARKET ROAD 543</u>, the state of Texas acquired certain land by various instruments recorded in the Deed Records of Collin County, Texas.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended that a segment of FM 543 from US 75 to County Road 206, shown in Exhibit A, be removed from the state highway system and that control, jurisdiction, and maintenance be transferred to the city. The executive director has also recommended the re-designation of a segment as State Spur 195.

The surplus land, described in Exhibit B, is no longer needed for a state highway purpose.

In accordance with V.T.C.A., Transportation Code, Chapter 202, Subchapter B, the Texas Transportation Commission (commission) may waive payment for real property transferred to a governmental entity if the estimated cost of future maintenance on the property equals or exceeds the fair value of the property.

The fair value of the surplus land has been determined to be \$305,000, and the state's costs for maintenance over the next 20 years are estimated to be more than \$1.3 million.

The city has requested that the surplus land be transferred to the city and that control, jurisdiction, and maintenance be transferred to the city.

The commission finds \$305,000 to be a fair and reasonable value of the state's right, title, and interest in the surplus land.

IT IS THEREFORE ORDERED by the commission that: 1) a segment of FM 543 from US 75 north to County Road 206 is removed from the system, a distance of 1.5 miles; 2) the remaining segment of FM 543 from CR 206 north to FM 455 is re-designated as SS 195, a distance of 7.6 miles.

FURTHER, the commission finds that the surplus land is no longer needed for a state highway purpose and recommends, subject to approval by the attorney general, that the governor of Texas execute a proper instrument transferring the state's right, title, and interest in the surplus land to the city of McKinney, Texas, in consideration of the savings to the state of future maintenance costs; SAVE AND EXCEPT, however, there is excepted and reserved herefrom all of the state's rights, titles, and interests, if any, in and to all of the oil, gas, sulphur, and other minerals, of every kind and character, in, on, under, and that may be produced from the surplus land.

Submitted and reviewed by:

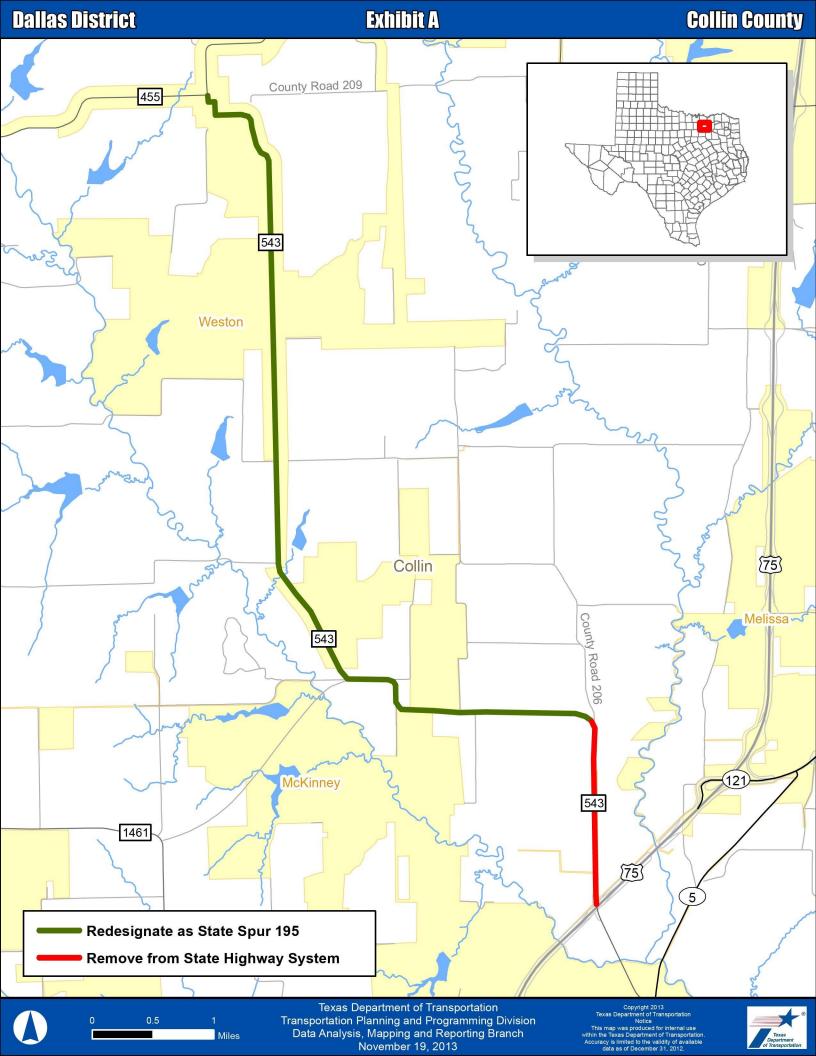
Director, Right of Way Division

Resonamended by:

Executive Director

Minute Number

Date Passed



Page 1 of 15

# Exhibit "A"

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014

August 5, 2011 Revised: August 13, 2013 Revised: October 11, 2013

### Legal Land Description for Tract 1, Part 1

BEING a 685,640 square foot or 15.7401 acre tract of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, and being a portion of that right-of-way reflected on Texas State Highway Department Right-of-way Map, FM 543, Collin County, from End of FM 543 South to (US Hwy. 75) SH 5 as recorded in Volume 416, Page 205, Deed Records of Collin County, Texas (D.R.C.C.T.), and being all of those certain tracts of land conveyed to the State of Texas according to the Deeds recorded in Volume 516, Page 540, Volume 516, Page 553, Volume 516, Page 555, and a portion of those certain tracts of land conveyed to the State of Texas according to the Deeds recorded in Volume 516, Page 547, Volume 516, Page 563, and Volume 643, Page 538, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 3-1/4 inch Texas Department of Transportation aluminum disc (TxDOT disc) found at an angle point in the common existing northwest right-of-way line of United States Highway 75 (U.S. 75, a variable width right-of-way), as conveyed to the State of Texas according to the Deed recorded in Instrument Number 20091111001377170, Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and in the southeasterly line that certain tract of land conveyed to the Testamentary Trust Created In The Last Will and Testament of Addison G. Wilson, Jr., Dated June 6, 2003 ("Trust") and described in Exhibit "B-3" of the Partition Deed recorded in Instrument Number 20091215001497350, O.P.R.C.C.T., from whence a 5/8 inch iron rod found at an angle point in said common right-of-way line and southeasterly line bears North 53 degrees 18 minutes 50 seconds East, 201.32 feet;

THENCE South 49 degrees 54 minutes 57 seconds West, with said common northwest right-of-way line of U.S. 75 and southeasterly line of the "Trust" tract, 219.70 feet to a TxDOT disc found for the common northwest corner of said State of Texas tract (Instrument Number 20091111001377170, O.P.R.C.C.T.) and the most southerly southwest corner of said "Trust" tract and for the POINT OF BEGINNING, said corner being in the northeast line of that certain tract of land conveyed to the State of Texas and described as Tract #3 in the aforementioned Deed recorded in Volume 643, Page 538, D.R.C.C.T.;

Page 2 of 15

#### Exhibit "A"

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014

August 5, 2011 Revised: August 13, 2013

Revised: October 11, 2013

- **(1)** THENCE South 45 degrees 44 minutes 41 seconds West, departing the northeast line of said State of Texas tract (Volume 643, Page 538, D.R.C.C.T), 169.32 feet (not monumented) to the common west line of said State of Texas tract and the east line of that certain Right-of-way Easement vested in the State of Texas according to the "Judgment of the Court" as recorded in Volume J, Page 396 of the Minutes of County Court of Collin County, Texas (Court Minutes) and in Volume 522, Page 13, D.R.C.C.T.;
- (2) THENCE North 00 degrees 13 minutes 30 seconds West, with the common west line of said State of Texas Tract #3 and the east line of said State of Texas Right-of-way Easement, passing at 812.17 feet the common northeast corner (not monumented) of said Right-of-way Easement and the southeast corner of that certain Right-of-way Easement vested in the State of Texas according to the "Judgment of the Court" as recorded in Volume J, Page 394, Court Minutes and in Volume 522, Page 10, D.R.C.C.T., and continuing with the common west line of said State of Texas Tract #3 and the east line of said State of Texas Right-of-way Easement (Volume J, Page 394, Court Minutes and Volume 522, Page 10, D.R.C.C.T.) a total distance of 1,154.17 feet to the northeast corner of said State of Texas Right-of-way Easement (Volume J, Page 394, Court Minutes and Volume 522, Page 10, D.R.C.C.T.) and to an ell corner of said State of Texas Tract #3;
- (3) THENCE North 88 degrees 43 minutes 30 seconds West, with the north line of said State of Texas Right-of-way Easement (Volume J, Page 394, Court Minutes and Volume 522, Page 10, D.R.C.C.T.) and a south line of said State of Texas Tract #3, 45.02 feet to the common northwest corner (not monumented) of said State of Texas Right-of-way Easement (Volume J, Page 394, Court Minutes and Volume 522, Page 10, D.R.C.C.T.) and the most northerly southwest corner of said State of Texas Tract #3, said common corner being in the westerly right-of-way line of Farm to Market Road 543 (F.M. 543);
- THENCE North 00 degrees 13 minutes 30 seconds West, continuing with (4) said westerly right-of-way line of F.M. 543, 1,729.02 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner:

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 3 of 15 August 5, 2011 Revised: August 13, 2013 Revised: October 11, 2013

- (5) THENCE North 00 degrees 46 minutes 33 seconds East, continuing with said westerly right-of-way line of F.M. 543, 2,095.63 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 6 inch wood post bears North 73 degrees 43 minutes 38 seconds West, 1.35 feet;
- (6) THENCE North 03 degrees 30 minutes 48 seconds West, continuing with said westerly right-of-way line of F.M. 543, 200.56 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 6 inch wood post bears South 50 degrees 49 minutes 02 seconds West, 0.85 feet;
- (7) THENCE North 00 degrees 46 minutes 33 seconds East, continuing with said westerly right-of-way line of F.M. 543, 100.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 3/8 inch iron rod bears North 82 degrees 16 minutes 23 seconds East, 0.50 feet;
- (8) THENCE North 09 degrees 18 minutes 24 seconds East, continuing with said westerly right-of-way line of F.M. 543, 101.12 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 1/2 inch iron rod bears North 68 degrees 42 minutes 00 seconds West, 0.87 feet;
- (9) THENCE North 00 degrees 46 minutes 33 seconds East, continuing with said westerly right-of-way line of F.M. 543, passing a found 5/8 inch smooth iron rod at a distance of 1,938.39 feet, in all a total distance of 1,940.10 feet to a PK Nail set for corner in the southwest side of a found 6 inch wood post, said PK Nail being the beginning of a tangent curve to the left having a central angle of 36 degrees 54 minutes 43 seconds, a radius of 671.18 feet, a tangent length of 224.00 feet, and a chord which bears North 17 degrees 40 minutes 49 seconds West, 424.96 feet;
- (10) THENCE, continuing with said westerly right-of-way line of F.M. 543 and with said curve to the left, an arc distance of 432.40 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner;

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 4 of 15 August 5, 2011 Revised: August 13, 2013 Revised: October 11, 2013

- (11) THENCE North 53 degrees 51 minutes 50 seconds East, departing said westerly right-of-way line of F.M.543, 90.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner in the easterly right-of-way line of F.M. 543;
- (12) THENCE North 89 degrees 54 minutes 38 seconds East, with said right-of-way line of F.M. 543, passing a found 1/2 inch iron rod at a distance of 0.36 feet, passing a 1/2 inch iron rod found at a distance of 107.39 feet and passing a oval-shaped rebar at a distance of 152.14 feet, in all a total distance of 152.59 feet to a 6 inch wood post found for an ell corner of that certain tract of land conveyed to Stephen A. Grogean and Brenda Grogean according to the deed recorded in Volume 4771, Page 1517, D.R.C.C.T. and being in said easterly right-of-way line of F.M. 543;
- (13) THENCE South 00 degrees 46 minutes 33 seconds West, continuing with said easterly right-of-way line of F.M. 543, 2,499.56 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner;
- (14) THENCE South 07 degrees 45 minutes 18 seconds East, continuing with said easterly right-of-way line of F.M. 543, 101.12 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" for corner, from whence a found 6 inch wood post bears South 43 degrees 51 minutes 28 seconds West, 1.59 feet;
- (15) THENCE South 00 degrees 46 minutes 33 seconds West, continuing with said easterly right-of-way line of F.M. 543, 100.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner;
- (16) THENCE South 05 degrees 03 minutes 54 seconds West, continuing with said easterly right-of-way line of F.M. 543, 200.56 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner;
- (17) THENCE South 00 degrees 46 minutes 33 seconds West, continuing with said easterly right-of-way line of F.M. 543, 1,994.85 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 1/2 inch iron rod bears South 45 degrees 02 minutes 43 seconds West, 2.14 feet;

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 5 of 15 August 5, 2011 Revised: August 13, 2013 Revised: October 11, 2013

### Legal Land Description for Tract 1, Part 1

- (18) THENCE South 00 degrees 13 minutes 30 seconds East, continuing with said easterly right-of-way line of F.M. 543, 2,604.41 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner;
- (19) THENCE South 03 degrees 05 minutes 15 seconds East, continuing with said easterly right-of-way line of F.M. 543, 18.29 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner at the common north corner of the aforementioned State of Texas Tract #3 and the most westerly southwest corner of the aforementioned "Trust" tract;
- (20) THENCE South 28 degrees 07 minutes 29 seconds East, continuing with said easterly right-of-way line of F.M. 543, 162.05 feet to the POINT OF BEGINNING and containing 685,640 square feet or 15.7401 acres of land, more or less.

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

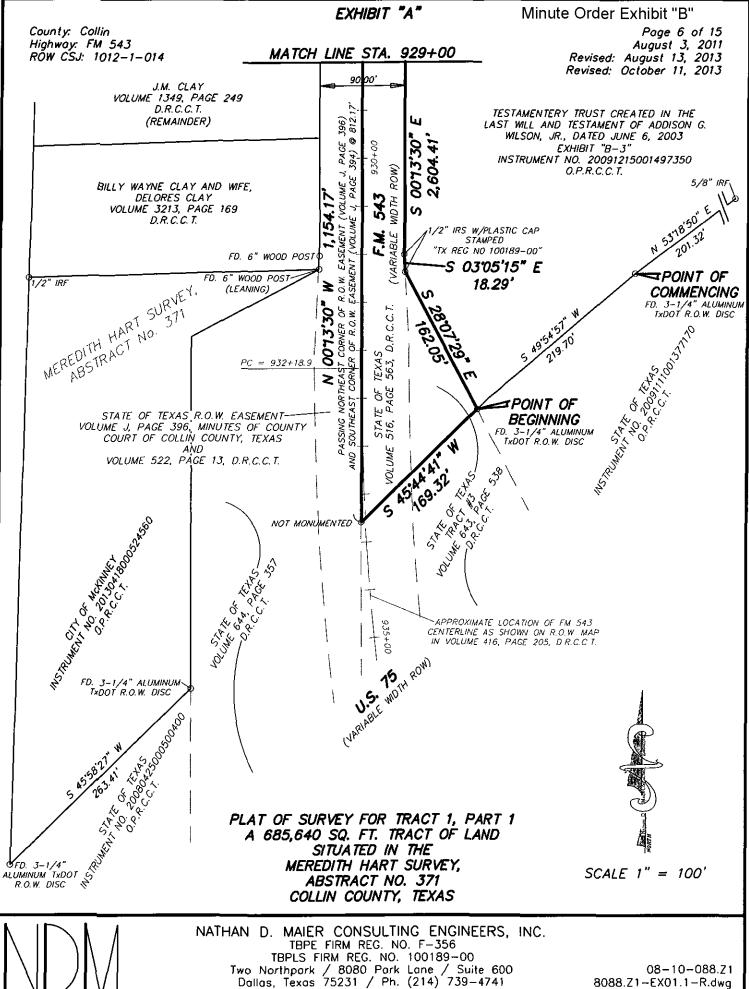
Nathan D. Maier Consulting Engineers, Inc.

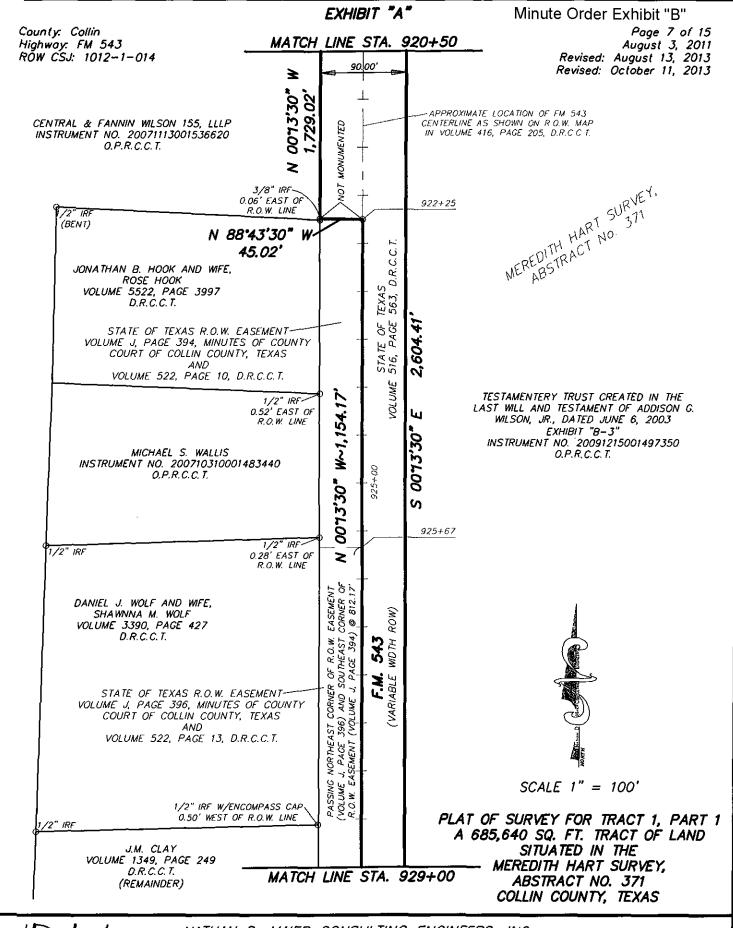
8080 Park Lane, Suite 600

Dallas, Texas 75231

John L. Melton

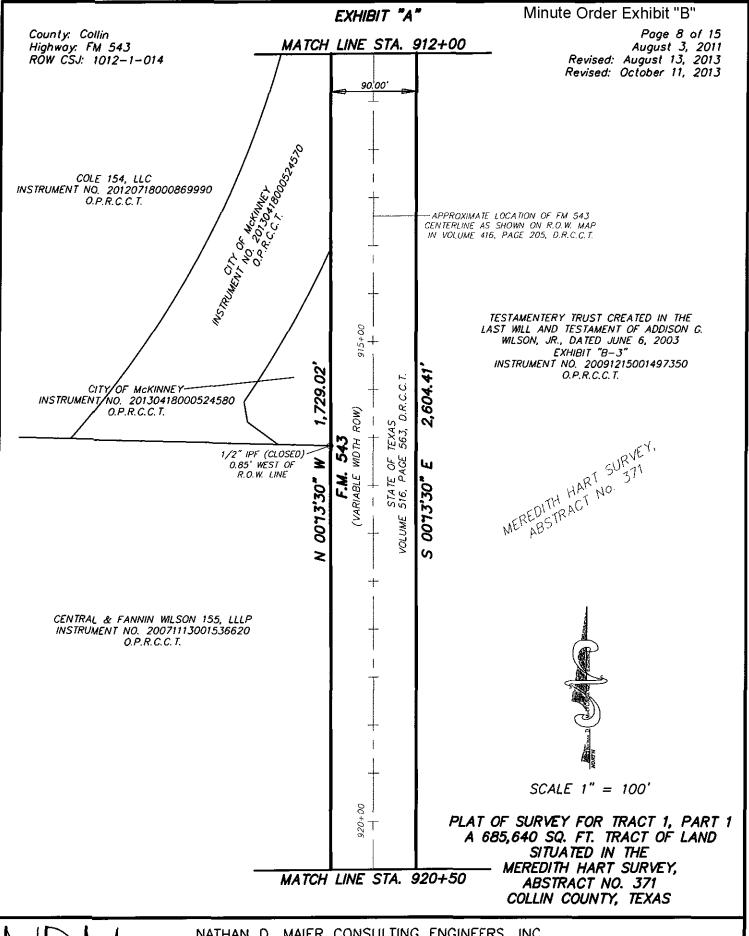
Registered Professional Land Surveyor No. 4268

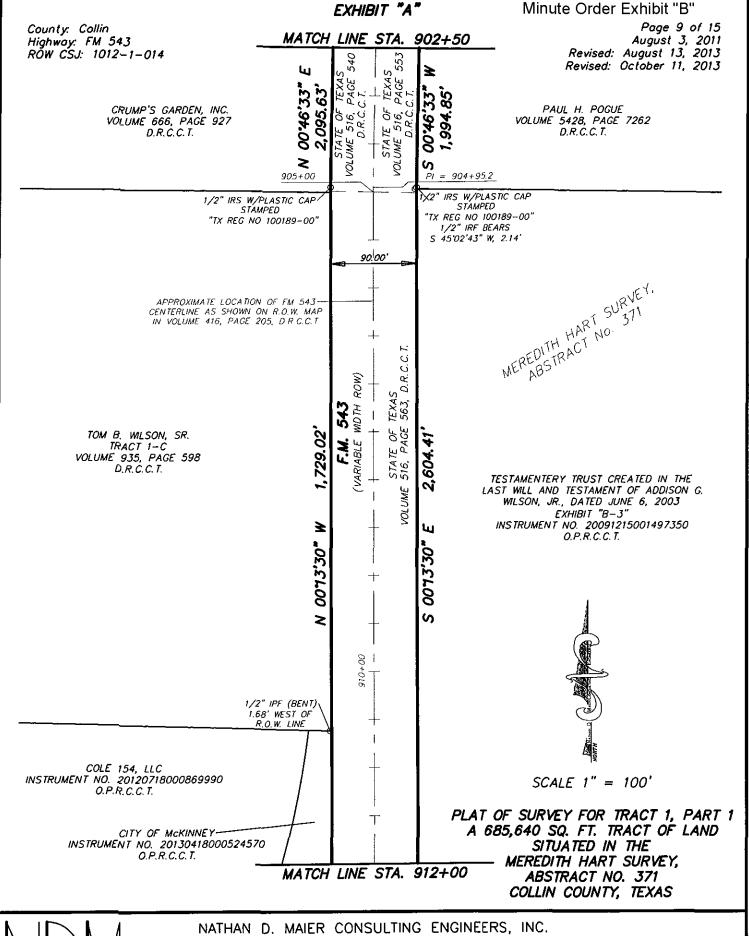




NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-356

TBPLS FIRM REG. NO. 100189-00 Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / Ph. (214) 739-4741



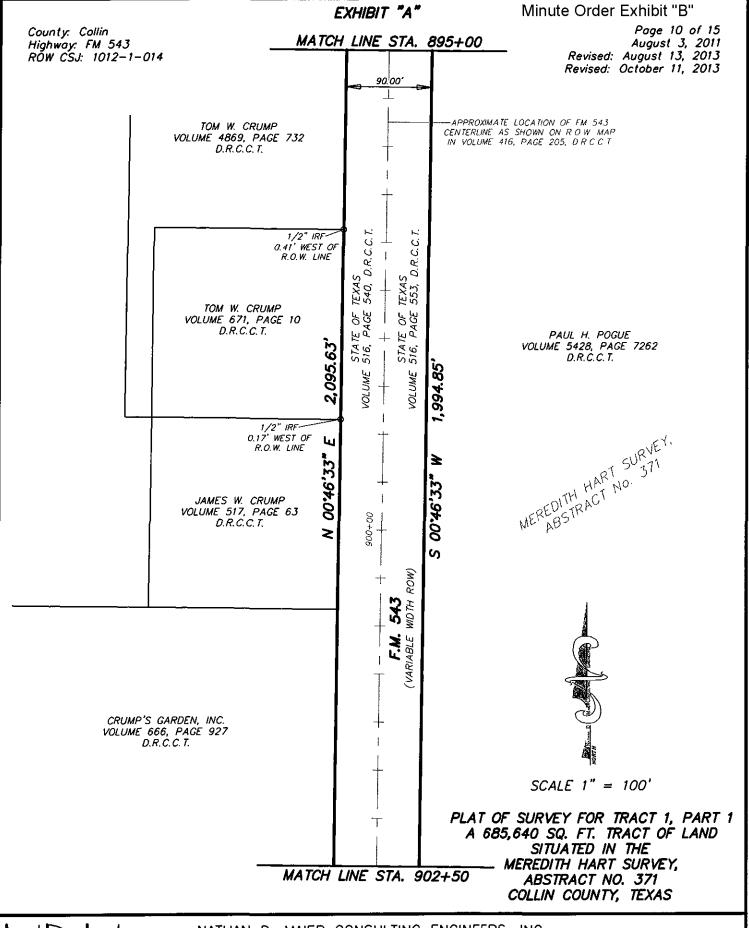


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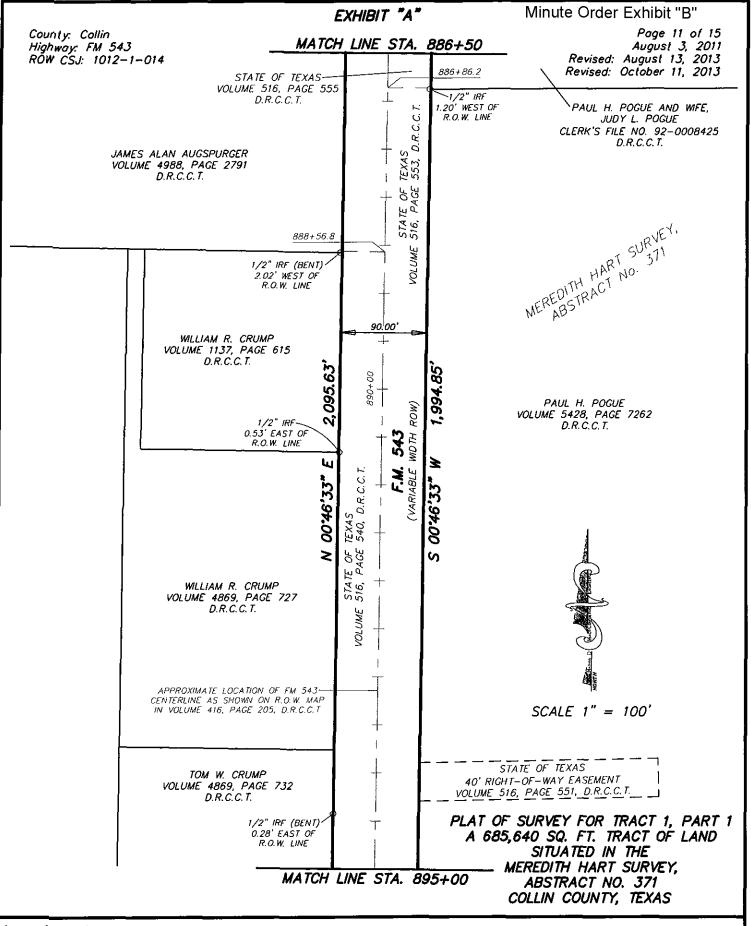
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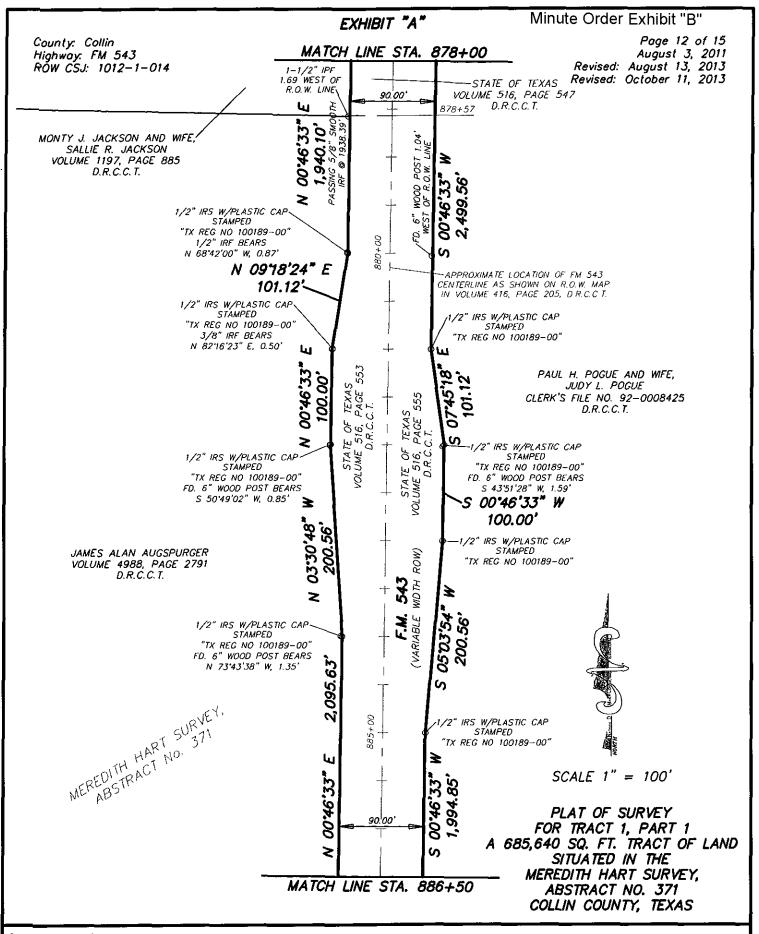
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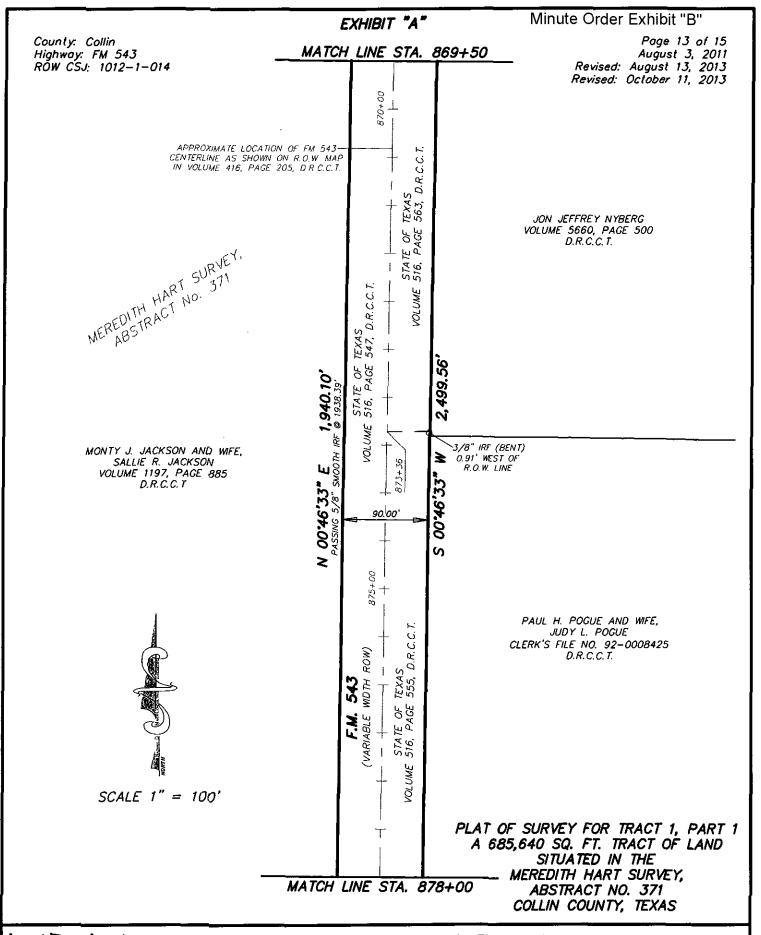


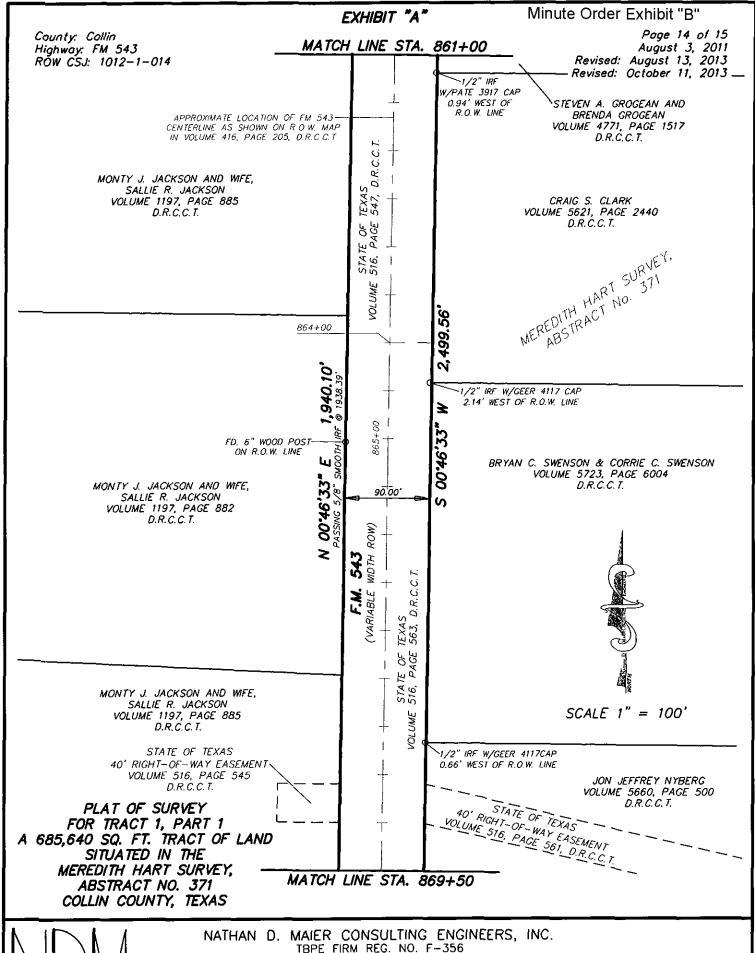
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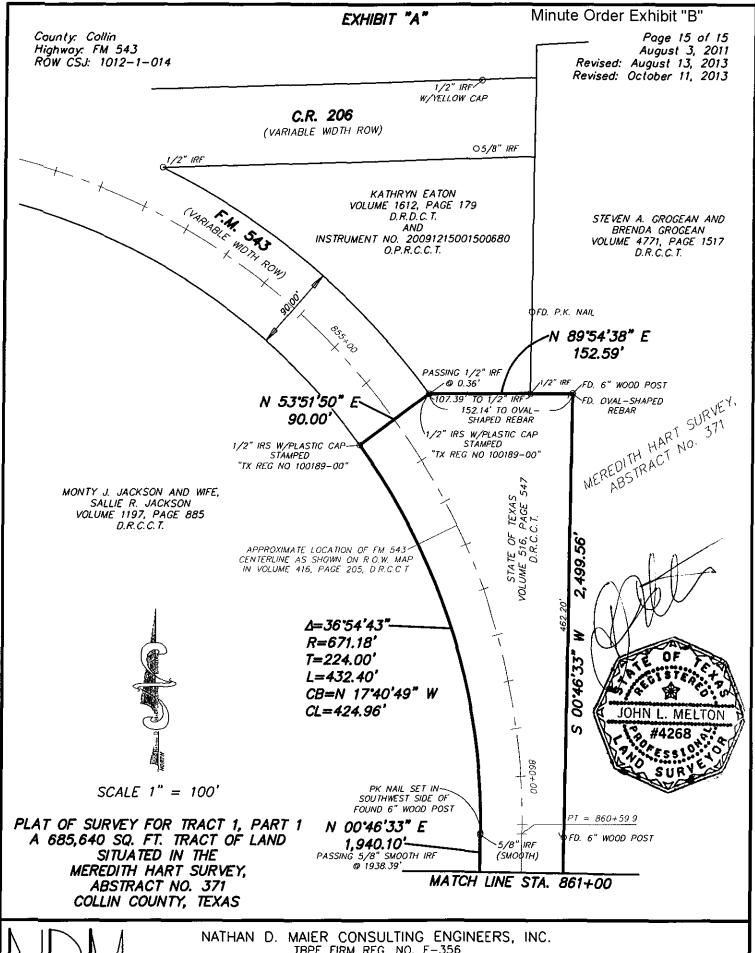
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Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / Ph. (214) 739-4741

Page 1 of 5

#### Exhibit "A"

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014

August 13, 2013 Revised: October 11, 2013

### Legal Land Description for Tract 1, Part 2

BEING a 44,174 square foot or 1.0141 acre tract of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, being a portion of that certain tract of land conveyed to the State of Texas according to the Deed recorded in Volume 644, Page 357, Deed Records of Collin County, Texas (D.R.C.C.T.), and being more particularly described by metes and bounds as follows:

COMMENCING at a 3-1/4 inch Texas Department of Transportation aluminum disc (TxDOT disc) found for corner in the existing northwest right-of-way line of United States Highway 75 (U.S. 75, a variable width right-of-way), said corner being the common northwest corner of that certain tract of land conveyed to the State of Texas according to the Deed recorded in Instrument Number 20091111001377170, Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and the most southerly southwest corner of that certain tract of land conveyed to the Testamentary Trust Created In The Last Will and Testament of Addison G. Wilson, Jr., Dated June 6, 2003 ("Trust") and described in Exhibit "B-3" of the Partition Deed recorded in Instrument Number 20091215001497350, O.P.R.C.C.T., said corner being in the northeast line of that certain tract of land conveyed to the State of Texas and described as Tract #3 in the Deed recorded in Volume 643, Page 538, D.R.C.C.T., from whence a 3-1/4 inch TxDOT disc found at an angle point in the common northwesterly line of said State of Texas tract (Instrument Number 20091111001377170, O.P.R.C.C.T.) and the southeasterly line of said "Trust" tract bears North 49 degrees 54 minutes 57 seconds East, 219.70 feet and a 5/8 inch iron rod found at an angle point in said common line bears additionally North 53 degrees 18 minutes 50 seconds East, 201.32 feet;

THENCE South 45 degrees 44 minutes 41 seconds West, departing the northeast line of said State of Texas Tract #3, 229.14 feet to the POINT OF BEGINNING (not monumented), and being in the common east line of the aforementioned State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the west line of that certain Right-of-way Easement vested in the State of Texas according to the "Judgment of the Court" as recorded in Volume J, Page 396 of the Minutes of County Court of Collin County, Texas and in Volume 522, Page 13, D.R.C.C.T.;

County: Collin Page 2 of 5
Highway: FM 543 August 13, 2013
ROW CSJ: 1012-1-014 Revised: October 11, 2013

- THENCE South 45 degrees 44 minutes 41 seconds West, departing the (1) common east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the west line of said Right-of-way Easement, 188.74 feet to a TxDOT disc found in the west line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) for the common northeast corner of that certain tract of land vested in the State of Texas according to the instrument entitled "Judgment of Court in Absence of Objection" as recorded in Instrument Number 20080425000500400, O.P.R.C.C.T. ("Judgment" tract) and the southeast corner of that certain tract of land conveyed to the City of McKinney according to the Warranty Deed as recorded in Instrument Number 20130418000524560, O.P.R.C.C.T., said west line being the existing westerly right-of-way line of F.M. 543 (variable width right-of-way), from whence a TxDOT disc found for the common northwest corner of said "Judgment" tract and the southwest corner of said City of McKinney tract bears South 45 degrees 58 minutes 27 seconds West, 263.41 feet:
- THENCE North 00 degrees 11 minutes 37 seconds West, with said westerly right-of-way line of F.M. 543, the west line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the easterly line of said City of McKinney tract, passing at 329.00 feet a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for reference, and continuing a total distance of 366.93 feet to the northwest corner (unable to monument due to construction) of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.), said northwest corner being at an angle point in said westerly right-of-way line of F.M. 543 and an ell corner of said City of McKinney tract;

County: Collin Page 3 of 5
Highway: FM 543 August 13, 2013
ROW CSJ: 1012-1-014 Revised: October 11, 2013

- THENCE North 62 degrees 08 minutes 05 seconds East, continuing with (3) said westerly right-of-way line of F.M. 543 and with the north line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and a southeast line of said City of McKinney tract, 149.83 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the common northeast corner of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.), the northeast corner of said City of McKinney tract and the southeast corner of that certain tract of land conveyed to Billy Wayne Clay and wife, Delores Clay according to the Warranty Deed as recorded in Volume 3213, Page 169, D.R.C.C.T., from whence a found 6 inch wood post (leaning) bears North 66 degrees 12 minutes 07 seconds East, 0.90 feet, said common corner being in the west right-of-way line of Farm to Market Road 543 as reflected on the Texas State Highway Department Right-of-way Map, FM 543, Collin County, from End of FM 543 South to (US Hwy. 75) SH 5 as recorded in Volume 416, Page 205, D.R.C.C.T. and in the west line of the aforementioned Right-of-way Easement:
- (4) THENCE South 02 degrees 38 minutes 15 seconds West, with the common east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the west line of said Right-of-way Easement, 84.62 feet to an angle point in said common line (not monumented);
- (5) THENCE South 00 degrees 13 minutes 30 seconds East, continuing the common east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the west line of said Right-of-way Easement, 18.90 feet to the beginning of a tangent curve to the left (not monumented) having a central angle of 03 degrees 58 minutes 14 seconds, a radius of 2,914.86 feet, a tangent length of 101.04 feet and a chord which bears South 02 degrees 12 minutes 37 seconds East, 201.96 feet;
- (6) THENCE continuing the common east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and the west line of said Right-of-way Easement and with said tangent curve to the left, an arc distance of 202.00 feet to the POINT OF BEGINNING and containing 44,174 square feet or 1.0141 acres of land, more or less.

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 4 of 5 August 13, 2013 Revised: October 11, 2013

# Legal Land Description for Tract 1, Part 2

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

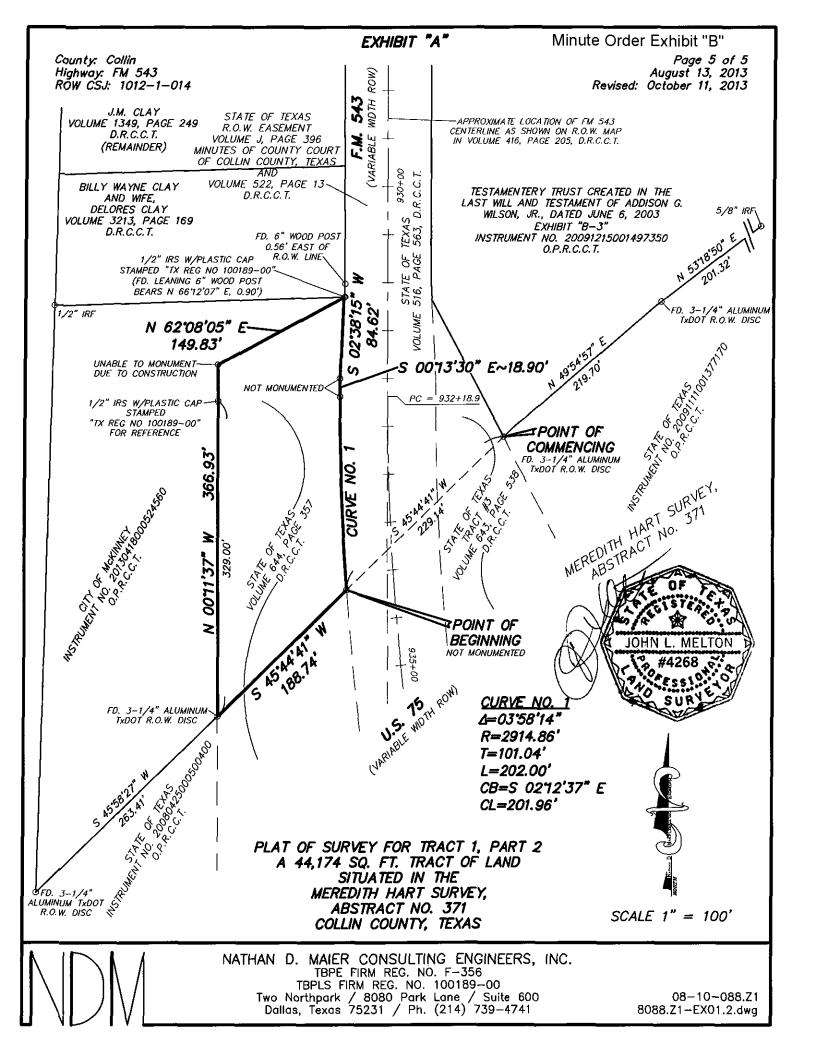
A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

Nathan D. Maier Consulting Engineers, Inc. 8080 Park Lane, Suite 600 Dallas, Texas 75231

John L. Melton

Registered Professional Land Surveyor No. 4268



County: Collin Highway: FM 543 ROW CSJ: 1012-1-014

Page 1 of 4 March 25, 2013

Revised: August 13, 2013

# Legal Land Description for Tract 2E

BEING a 2,600 square foot or 0.0597 acre tract of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, and being all of that called 0.06 acre tract of land shown as a Channel Easement at centerline station 868+80 on Texas State Highway Department Right of Way Map of FM 543, Collin County, from End of FM 543 South to US Hwy. 75, said map being recorded in Volume 416, Page 205, Deed Records of Collin County, Texas (D.R.C.C.T.), said called 0.06 acre tract being granted to the State of Texas according to the instrument entitled Right-of-Way Easement as recorded in Volume 516, Page 545, D.R.C.C.T. and being a portion of a called 210.817 acre tract of land conveyed to Monty J. Jackson and wife, Sallie R. Jackson according to the Warranty Deed as recorded in Volume 1197, Page 885, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 6-inch diameter wood post with a P.K. nail set in its southwest face found in the west right-of-way line of said FM 543 (90 feet wide at this point) for the P.T. (point of tangency) of a curve shown on said Right of Way Map of FM 543 at centerline station 860+59.9, said west right-of-way line of FM 543 being the west line of a called 4.69 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 547, D.R.C.C.T.;

THENCE South 00 degrees 46 minutes 33 seconds West, with said west right-of-way line of FM 543 and the west line of said called 4.69 acre tract, passing at 1.71 feet a found smooth 5/8 inch iron rod, passing at 443.66 feet a found 6 inch diameter wood post and continuing with said west right-of-way line and the west line of said called 4.69 acre tract a total distance of 800.10 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the northeast corner of said called 0.06 acre Right-of-Way Easement and for the POINT OF BEGINNING;

- THENCE South 00 degrees 46 minutes 33 seconds West, continuing with (1) said west right-of-way line of FM 543, the west line of said called 4.69 acre tract and the east line of said called 0.06 acre Right-of-Wav Easement, 40.00 feet to a 1/2 inch iron rod with a plastic cap stamped "TX REG NO 100189-00" set for the southeast corner of said called 0.06 acre Right-of-Way Easement:
- THENCE North 89 degrees 13 minutes 27 seconds West, departing said (2) west right-of-way line of FM 543 and the west line of said called 4.69 acre tract and with the south line of said called 0.06 acre Right-of-Way Easement, 65.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the southwest corner of said called 0.06 acre Right-of-Way Easement;

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 2 of 4 March 25, 2013 Revised: August 13, 2013

### Legal Land Description for Tract 2E

- (3) THENCE North 00 degrees 46 minutes 33 seconds East, with the west line of said called 0.06 acre Right-of-Way Easement, 40.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the northwest corner of said called 0.06 acre Right-of-Way Easement;
- (4) THENCE South 89 degrees 13 minutes 27 seconds East, with the north line of said called 0.06 acre Right-of-Way Easement, 65.00 feet to the POINT OF BEGINNING and containing 2,600 square feet or 0.0597 acre of land, more or less.

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

Nathan D. Maier Consulting Engineers, Inc.

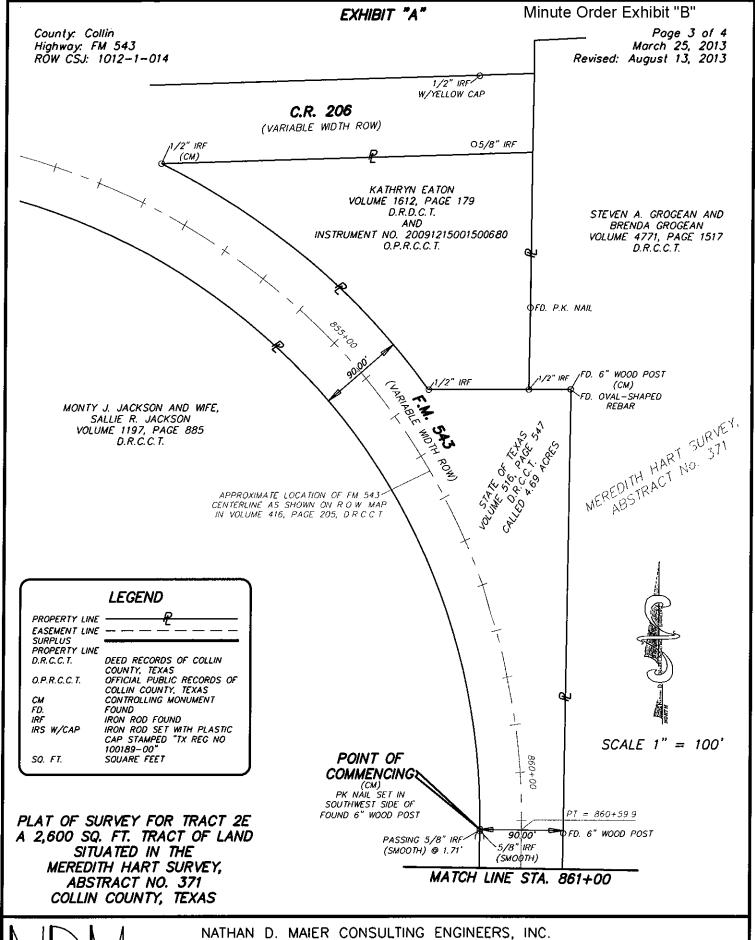
8080 Park Lane, Suite 600

Dallas, Texas 75231

John Z. Melton

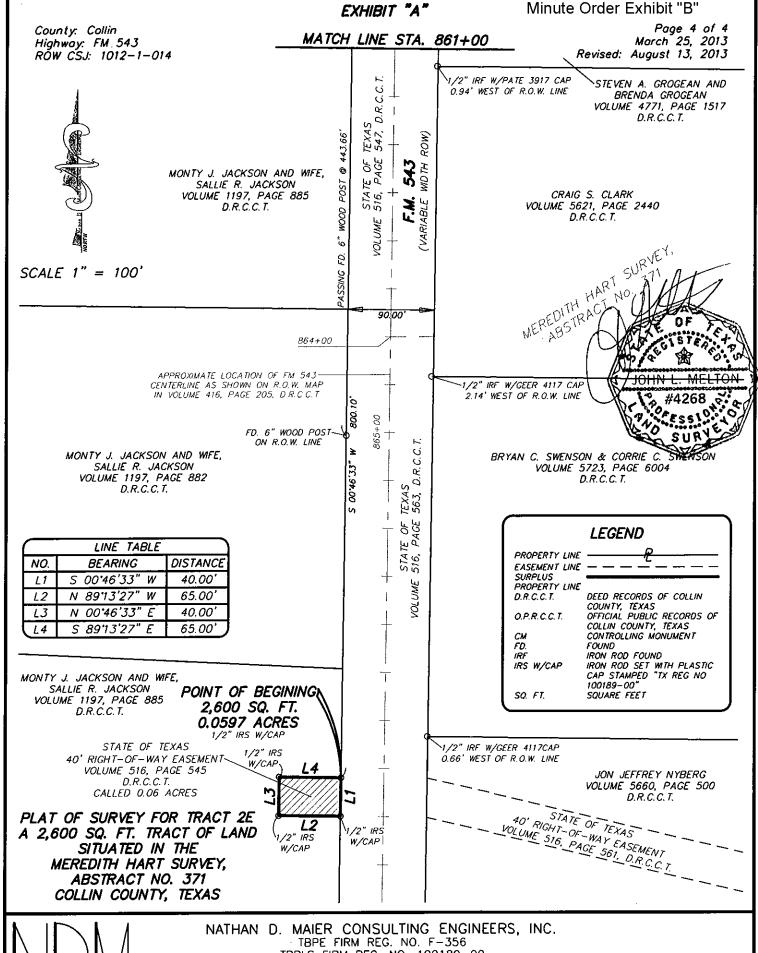
Registered Professional Land Surveyor No. 4268

JOHN L. MELTON



TBPE FIRM REG. NO. F-356

TBPLS FIRM REG. NO. 100189-00 Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / Ph. (214) 739-4741



TBPLS FIRM REG. NO. 100189-00 Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / Ph. (214) 739-4741

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 1 of 4 March 25, 2013 Revised: August 13, 2013

### Legal Land Description for Tract 3E

BEING a 14,200 square foot or 0.3260 acre tract of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, and being all of that called 0.33 acre tract of land shown as a Channel Easement at centerline station 868+80 on Texas State Highway Department Right of Way Map of FM 543, Collin County, from End of FM 543 South to US Hwy. 75, said map being recorded in Volume 416, Page 205, Deed Records of Collin County, Texas (D.R.C.C.T.), said called 0.33 acre tract being granted to the State of Texas according to the instrument entitled Right-of-Way Easement as recorded in Volume 516, Page 561, D.R.C.C.T., and being a portion of a called 24 acre tract of land conveyed to Jon Jeffrey Nyberg according to the General Warranty Deed as recorded in Volume 5660, Page 500, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 6-inch diameter wood post found in the east right-of-way line of said FM 543 (variable width right-of-way) for the northeast corner of a called 4.69 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 547, D.R.C.C.T., from whence a found oval-shaped rebar bears South 89 degrees 54 minutes 38 seconds West, 0.45 feet;

THENCE South 00 degrees 46 minutes 33 seconds West, with said east right-of-way line of FM 543 and the east line of said called 4.69 acre tract, passing at 462.20 feet a found 6 inch diameter wood post, continuing with said east right-of-way line and the east line of said called 4.69 acre tract, passing at 798.80 feet an ell corner in the east line of said called 4.69 acre tract, same being the northeast corner of that called 0.97 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 563, D.R.C.C.T., and continuing with said east right-of-way line and with the east line of said called 0.97 acre tract, a total distance of 1,259.09 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the northwest corner of said called 0.33 acre Right-of-Way Easement and the POINT OF BEGINNING;

(1) THENCE South 77 degrees 00 minutes 27 seconds East, departing said east right-of-way line of FM 543 and the east line of said called 0.97 acre tract and with the north line of said called 0.33 acre Right-of-Way Easement, 359.33 feet to a 1/2 inch iron rod with a plastic cap stamped "TX REG NO 100189-00" set for the northeast corner of said called 0.33 acre Right-of-Way Easement;

County: Collin Highway: FM 543

ROW CSJ: 1012-1-014

Page 2 of 4 March 25, 2013

Revised: August 13, 2013

# Legal Land Description for Tract 3E

- (2) THENCE South 12 degrees 59 minutes 33 seconds West, with the east line of said called 0.33 acre Right-of-Way Easement, 40.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the southeast corner of said called 0.33 acre Right-of-Way Easement;
- (3) THENCE North 77 degrees 00 minutes 27 seconds West, with the south line of said called 0.33 acre Right-of-Way Easement, 350.67 feet to a mag nail set in a tree stump for the southwest corner of said called 0.33 acre Right-of-Way Easement in said east right-of-way line of FM 543 and the east line of said called 0.97 acre tract;
- (4) THENCE North 00 degrees 46 minutes 33 seconds East, with said east right-of-way line of FM 543 and the east line of said called 0.97 acre tract and the west line of said called 0.33 acre Right-of-Way Easement, 40.93 feet to the POINT OF BEGINNING and containing 14,200 square feet or 0.3260 acre of land, more or less.

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

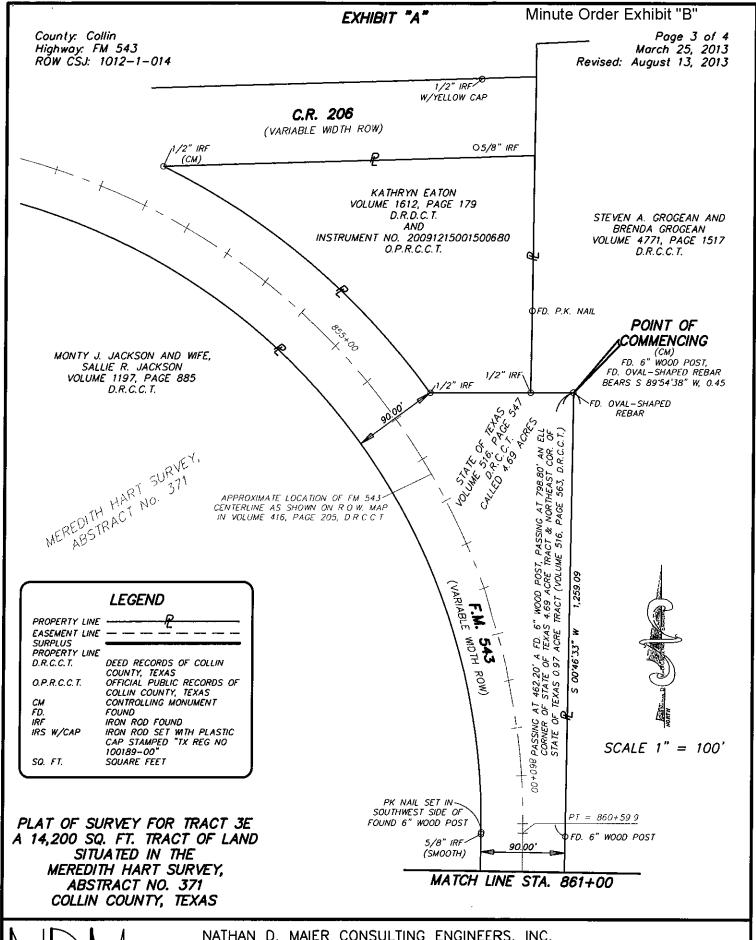
Nathan D. Maier Consulting Engineers, Inc.

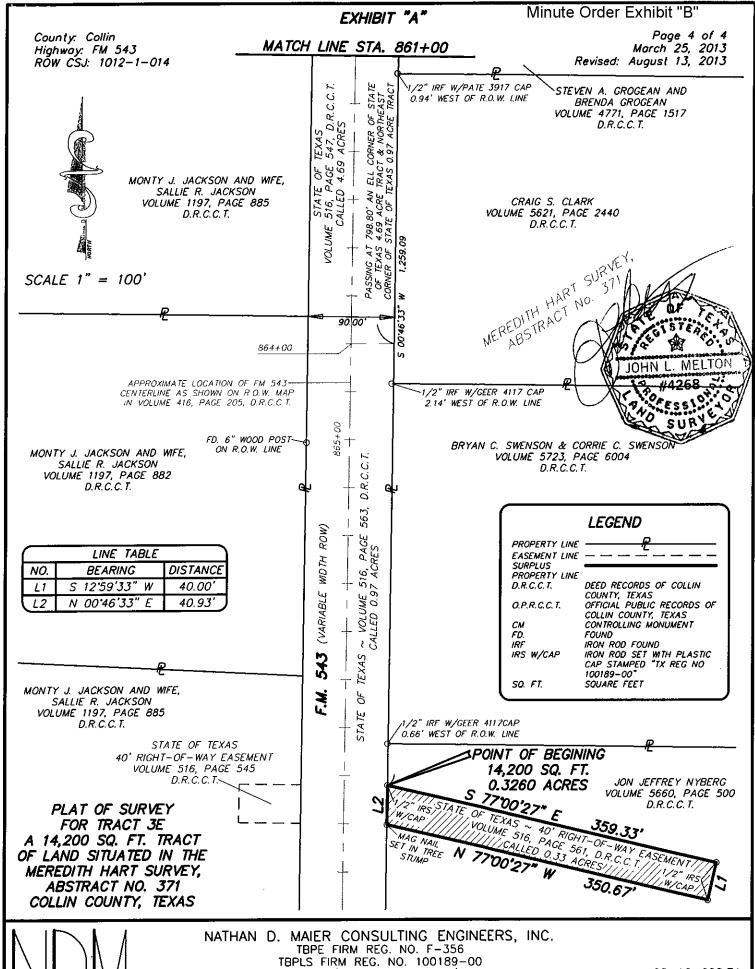
8080 Park Lane, Suite 600

Dallas, Texas 75231

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Registered Professional Land Surveyor No. 4268





Two Northpark / 8080 Park Lane / Suite 600 Dallas, Texas 75231 / Ph. (214) 739-4741

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 1 of 8 March 25, 2013 Revised: August 13, 2013

# Legal Land Description for Tract 4E

BEING a 10,200 square foot or 0.2342 acre tract of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, and being all of that called 0.23 acre tract of land shown as a Channel Easement at centerline station 894+09 on Texas State Highway Department Right of Way Map of FM 543, Collin County, from End of FM 543 South to US Hwy. 75, said map being recorded in Volume 416, Page 205, Deed Records of Collin County, Texas (D.R.C.C.T.), said called 0.23 acre tract being granted to the State of Texas according to the instrument entitled Right-of-Way Easement as recorded in Volume 516, Page 551, D.R.C.C.T., and being a portion of that called 84.231 acre tract of land conveyed to Paul H. Pogue according to the Special Cash Warranty Deed as recorded in Volume 5428, Page 7262, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 6 inch diameter wood post found in the east right-of-way line of said FM 543 (variable width right-of-way) for the northeast corner of a called 4.69 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 547, D.R.C.C.T., from whence a found oval-shaped rebar bears South 89 degrees 54 minutes 38 seconds West, 0.45 feet;

THENCE South 00 degrees 46 minutes 33 seconds West, with said east right-of-way line of FM 543 and the east line of said called 4.69 acre tract, passing at 462.20 feet a found 6 inch diameter wood post, continuing with said east right-of-way line and the east line of said called 4.69 acre tract, passing at 798.80 feet an ell corner in the east line of said called 4.69 acre tract, same being the northeast corner of that called 0.97 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 563, D.R.C.C.T., continuing with said east right-of-way line and with the east line of said called 0.97 acre tract, passing at 1,735.30 feet the southeast corner of said called 0.97 acre tract, same being the northeast corner of that called 1.48 acre tract of land conveyed to the State of Texas according to the Right-of-Way Deed as recorded in Volume 516, Page 555, D.R.C.C.T., from whence a found 3/8 inch iron rod (bent) bears South 34 degrees 03 minutes 48 seconds West, 1.66 feet, and continuing with said east right-of-way line and with the east line of said called 1.48 acre tract a total distance of 2,499.55 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner at an angle point in said east right-of-way line of FM 543 and the east line of said called 1.48 acre tract;

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014

Page 2 of 8 March 25, 2013 Revised: August 13, 2013

### Legal Land Description for Tract 4E

THENCE South 07 degrees 45 minutes 18 seconds East, continuing with said east rightof-way line of FM 543 and the east line of said called 1.48 acre tract, 101.12 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner at an angle point in said east right-of-way line and the east line of said called 1.48 acre tract, from whence a found 6 inch diameter wood post bears South 43 degrees 51 minutes 28 seconds West, 1.59 feet;

THENCE South 00 degrees 46 minutes 33 seconds West, continuing with said east rightof-way line of FM 543 and the east line of said called 1.48 acre tract, 100.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner at an angle point in said east right-of-way line and the east line of said called 1.48 acre tract;

THENCE South 05 degrees 03 minutes 54 seconds West, continuing with said east rightof-way line of FM 543 and the east line of said called 1.48 acre tract, 200.56 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner at an angle point in said east right-of-way line and the east line of said called 1.48 acre tract;

THENCE South 00 degrees 46 minutes 33 seconds West, continuing with said east rightof-way line of FM 543 and the east line of said called 1.48 acre tract, passing at 187.14 feet the southeast corner of said called 1.48 acre tract, same being an exterior ell corner of that called 2.99 acre tract of land conveyed to the State of Texas according to the Rightof-Way Deed as recorded in Volume 516, Page 553, D.R.C.C.T., and continuing with said east right-of-way line and with the most easterly line of said called 2.99 acre tract, a total distance of 888.99 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the northwest corner of the aforementioned called 0.23 acre Right-of-Way Easement and the POINT OF BEGINNING;

THENCE North 88 degrees 58 minutes 33 seconds East, departing said (1) east right-of-way line of FM 543 and the east line of said called 2.99 acre tract and with the north line of said called 0.23 acre Right-of-Way Easement, 254.37 feet to a 1/2 inch iron rod with a plastic cap stamped "TX REG NO 100189-00" set for the northeast corner of said called 0.23 acre Right-of-Way Easement:

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 3 of 8 March 25, 2013 Revised: August 13, 2013

# Legal Land Description for Tract 4E

- (2) THENCE South 01 degree 01 minute 27 seconds East, with the east line of said called 0.23 acre Right-of-Way Easement, 40.00 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for the southeast corner of said called 0.23 acre Right-of-Way Easement;
- (3) THENCE South 88 degrees 58 minutes 33 seconds West, with the south line of said called 0.23 acre Right-of-Way Easement, 255.63 feet to a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set in said east right-of-way line of FM 543 and the east line of said called 2.99 acre tract for the southwest corner of said called 0.23 acre Right-of-Way Easement;
- (4) THENCE North 00 degrees 46 minutes 33 seconds East, with said east right-of-way line of FM 543 and the east line of said called 2.99 acre tract and the west line of said called 0.23 acre Right-of-Way Easement, 40.02 feet to the POINT OF BEGINNING and containing 10,200 square feet or 0.2342 acre of land, more or less.

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

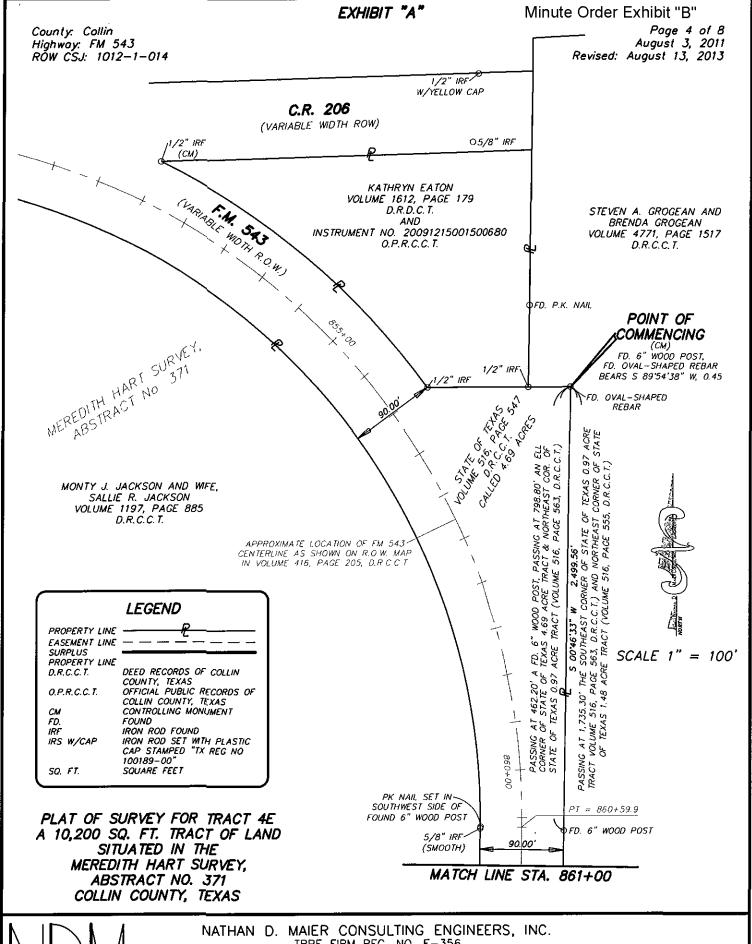
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Dallas, Texas 75231

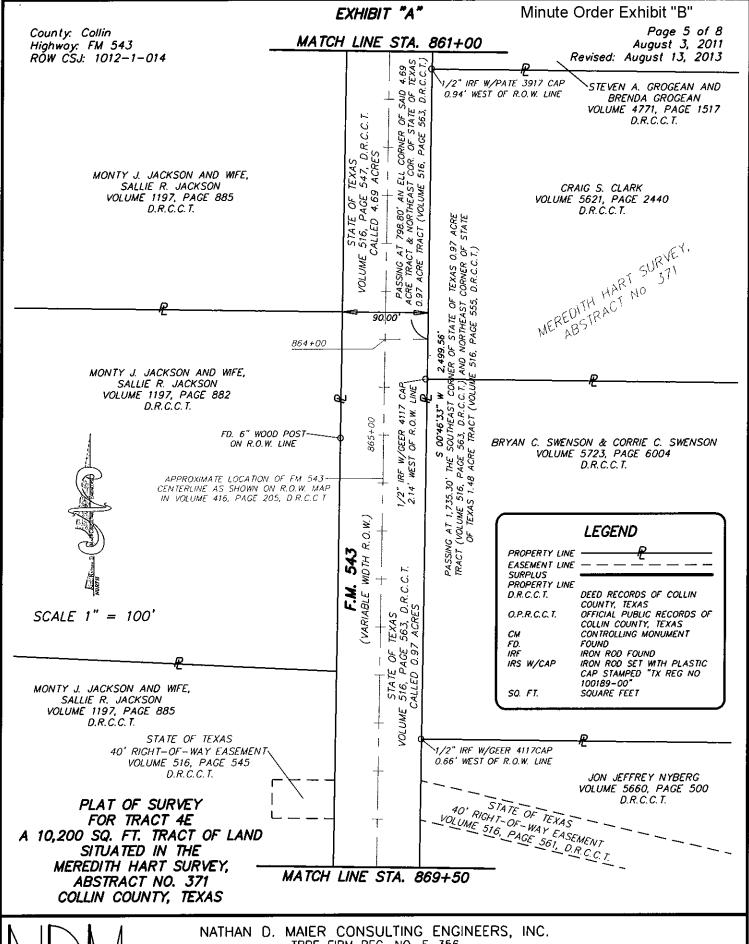
John L. Melton

Registered Professional Land Surveyor No. 4268



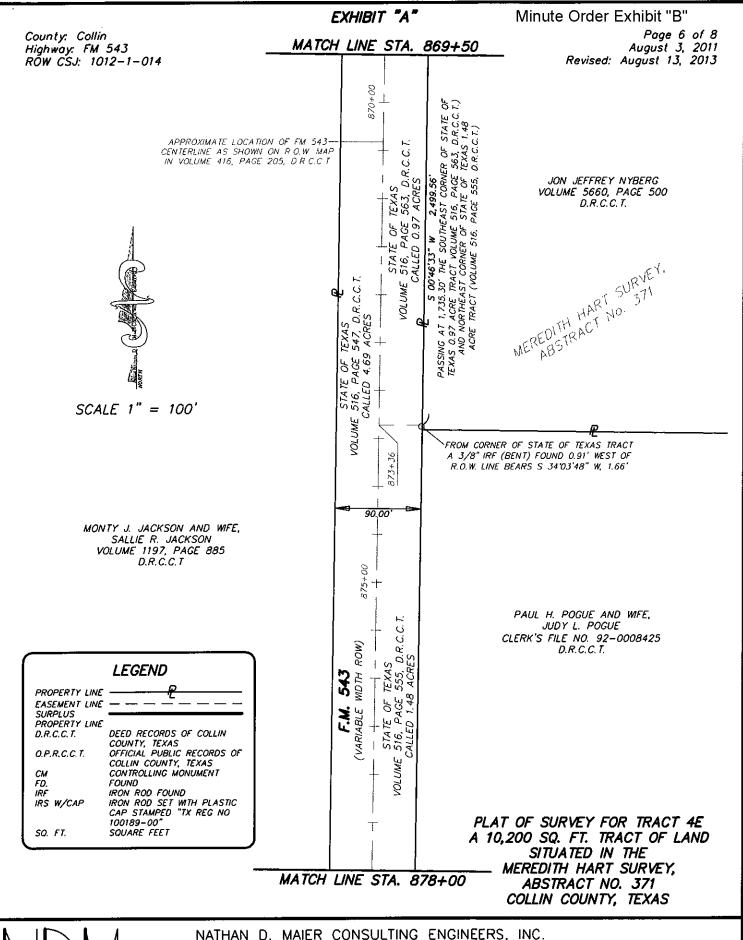
NATHAN D. MAIER CONSULTING ENGINEERS, INC. TBPE FIRM REG. NO. F-356

TBPLS FIRM REG. NO. 100189-00 Two Northpark / 8080 Park Lane / Suite 600 Dallos, Texas 75231 / Ph. (214) 739-4741



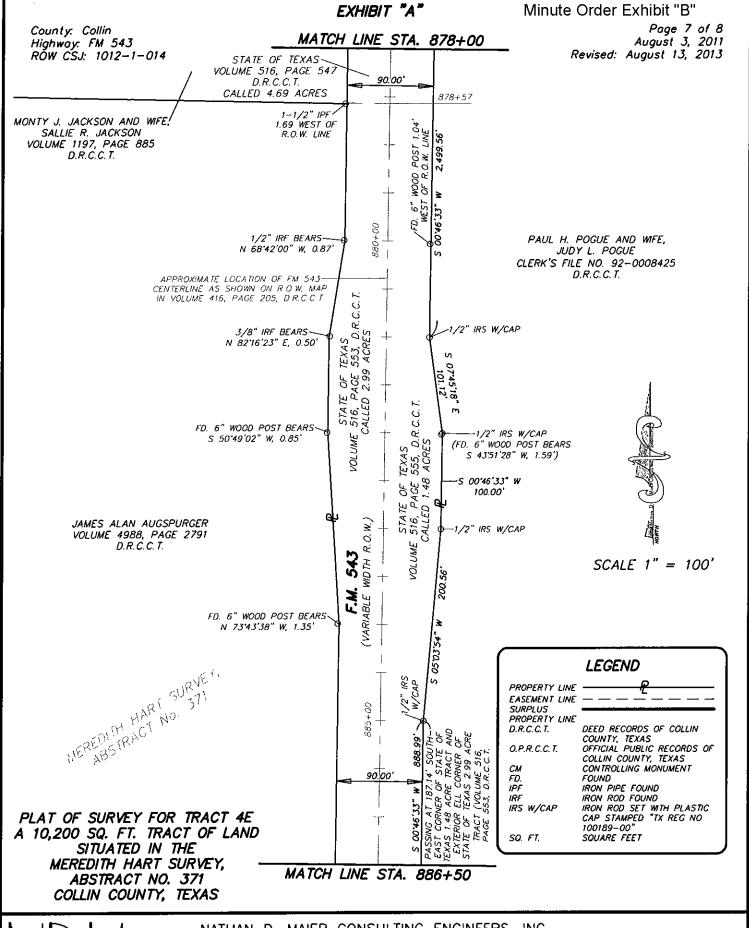
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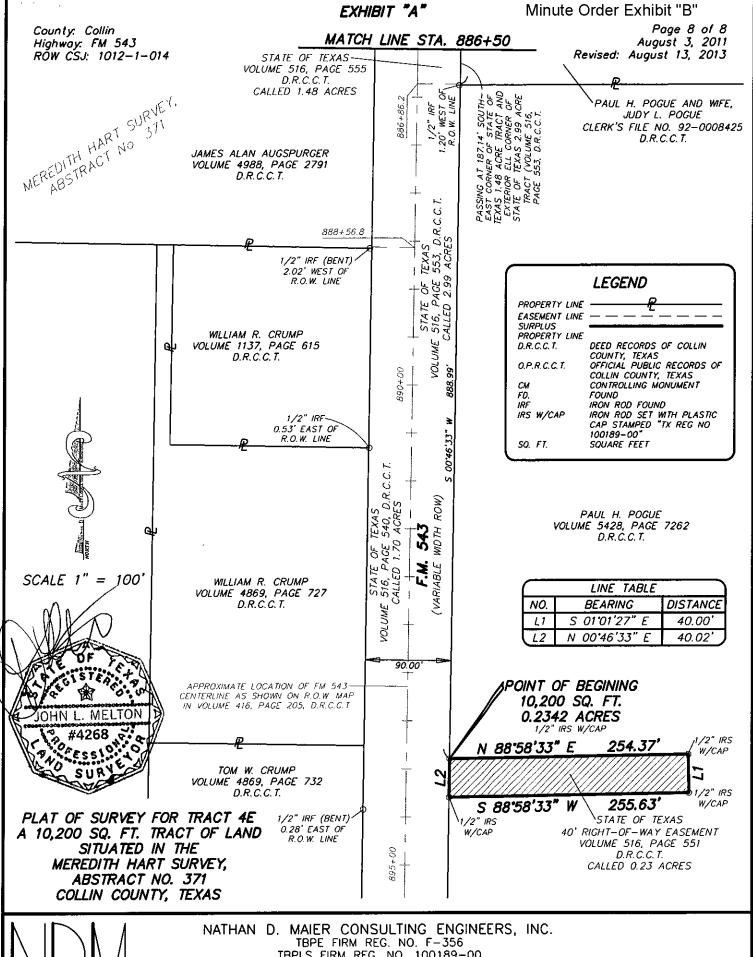
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County: Collin Page 1 of 6
Highway: FM 543 August 13, 2013
ROW CSJ: 1012-1-014 Revised: October 11, 2013

# Legal Land Description for Tract 5

BEING a 53,824 square foot tract or 1.2356 acres of land situated in the Meredith Hart Survey, Abstract Number 371, Collin County, Texas, being a portion of that right-of-way reflected on Texas State Highway Department Right-of-way Map, FM 543, Collin County, from End of FM 543 South to (US Hwy. 75) SH 5 as recorded in Volume 416, Page 205, Deed Records of Collin County, Texas (D.R.C.C.T.), and being all of that certain Right-of-way Easement vested in the State of Texas according to the "Judgment of the Court" as recorded in Volume J, Page 394 of the Minutes of County Court of Collin County, Texas (Court Minutes) and in Volume 522, Page 10, D.R.C.C.T. and a portion of that certain Right-of-way Easement vested in the State of Texas according to the "Judgment of the Court" as recorded in Volume J, Page 396, Court Minutes and in Volume 522, Page 13, D.R.C.C.T., and being more particularly described by metes and bounds as follows:

COMMENCING at a 3-1/4 inch Texas Department of Transportation aluminum disc (TxDOT disc) found for corner in the existing northwest right-of-way line of United States Highway 75 (U.S. 75, a variable width right-of-way), said corner being the common northwest corner of that certain tract of land conveyed to the State of Texas according to the Deed recorded in Instrument Number 20091111001377170, Official Public Records of Collin County, Texas (O.P.R.C.C.T.) and the most southerly southwest corner of that certain tract of land conveyed to the Testamentary Trust Created In The Last Will and Testament of Addison G. Wilson, Jr., Dated June 6, 2003 ("Trust") and described in Exhibit "B-3" of the Partition Deed recorded in Instrument Number 20091215001497350, O.P.R.C.C.T., said corner being in the northeast line of that certain tract of land conveyed to the State of Texas and described as Tract #3 in the Deed recorded in Volume 643, Page 538, D.R.C.C.T., from whence a 3-1/4 inch TxDOT disc found at an angle point in the common northwesterly line of said State of Texas tract (Instrument Number 20091111001377170, O.P.R.C.C.T.) and the southeasterly line of said "Trust" tract bears North 49 degrees 54 minutes 57 seconds East, 219.70 feet and a 5/8 inch iron rod found at an angle point in said common line bears additionally North 53 degrees 18 minutes 50 seconds East, 201.32 feet;

THENCE South 45 degrees 44 minutes 41 seconds West, departing the northeast line of said State of Texas Tract #3, 169.32 feet to the POINT OF BEGINNING (not monumented), and being in the common east line of the aforementioned Right-of-way Easement (Volume J, Page 396, Court Minutes) and the west line of that certain tract of land conveyed to the State of Texas according to the Right-of-way Deed as recorded in Volume 516, Page 563, D.R.C.C.T.;

County: Collin Highway: FM 543 ROW CSJ: 1012-1-014 Page 2 of 6 August 13, 2013 Revised: October 11, 2013

### Legal Land Description for Tract 5

- (1) THENCE South 45 degrees 44 minutes 41 seconds West, departing the common east line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the west line of said State of Texas tract (Volume 516. Page 563, D.R.C.C.T.), 59.81 feet to the common west line of said west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the east line of that certain tract of land conveyed to the State of Texas according to the Deed as recorded in Volume 644, Page 357, D.R.C.C.T., being in the west right-of-way line of Farm to Market Road 543 (FM 543) as reflected on the Texas State Highway Department Right-of-way Map, FM 543, Collin County, from End of FM 543 South to (US Hwy. 75) SH 5 as recorded in Volume 416, Page 205, D.R.C.C.T. and being the beginning of a non-tangent curve to the right having a central angle of 03 degrees 58 minutes 14 seconds, a radius of 2,914.86 feet, a tangent length of 101.04 feet and a chord which bears North 02 degrees 12 minutes 37 seconds West, 201.96 feet;
- (2) THENCE, with the common west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.) and with said non-tangent curve to the left, an arc distance of 202.00 feet to corner (not monumented);
- (3) THENCE North 00 degrees 13 minutes 30 seconds West, continuing with the common west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.), 18.90 feet to corner (not monumented);

County: Collin Page 3 of 6
Highway: FM 543 August 13, 2013
ROW CSJ: 1012-1-014 Revised: October 11, 2013

# Legal Land Description for Tract 5

- (4) THENCE North 02 degrees 38 minutes 15 seconds East, continuing with the common west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the east line of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.), passing at 84.62 feet a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set in the west right-ofway line of the aforementioned FM 543 for the common northeast corner of said State of Texas tract (Volume 644, Page 357, D.R.C.C.T.), the northeast corner of that certain tract of land conveyed to the City of McKinney according to the Warranty Deed as recorded in Instrument Number 20130418000524560 and the southeast corner of that certain tract of land conveyed to Billy Wayne Clay and wife, Delores Clay according to the Warranty Deed as recorded in Volume 3213, Page 169, D.R.C.C.T., from whence a found 6 inch wood post (leaning) bears North 66 degrees 12 minutes 07 seconds East, 0.90 feet, and continuing with the west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and said west right-of-way line of FM 543 a total distance of 100.12 feet to feet a 1/2 inch iron rod with plastic cap stamped "TEX REG NO 100189-00" set for corner, from whence a found 6 inch wood post bears South 20 degrees 22 minutes 01 seconds East, 1.43 feet;
- (5) THENCE North 00 degrees 13 minutes 30 seconds West, continuing with the west line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and said west right-of-way line of FM 543, passing at 533.00 feet the common northwest corner of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the southwest corner of the aforementioned Right-of-way Easement (Volume J, Page 394, Court Minutes), and continuing with the west line of said Right-of-way Easement (Volume J, Page 394, Court Minutes) and said west right-of-way line of FM 543, a total distance of 876.18 feet to the common northwest corner (not monumented) of said Right-of-way Easement (Volume J, Page 394, Court Minutes) and the most northerly southwest corner of the aforementioned State of Texas tract (Volume 516, Page 563, D.R.C.C.T.);

August 13, 2013

Page 4 of 6

County: Collin Highway: FM 543 Revised: October 11, 2013 ROW CSJ: 1012-1-014

### Legal Land Description for Tract 5

- THENCE South 88 degrees 43 minutes 30 seconds East, departing said (6) west right-of-way line of FM 543 and with the common north line of said Right-of-way Easement (Volume J, Page 394, Court Minutes) and a south line of said State of Texas tract (Volume 516, Page 563, D.R.C.C.T.), 45.02 feet to the northeast corner (not monumented) of said Right-of-way Easement (Volume J. Page 394, Court Minutes, said corner being an ell corner of said State of Texas tract (Volume 516, Page 563, D.R.C.C.T.);
- *(*7) THENCE South 00 degrees 13 minutes 30 seconds East, with the common east line of said Right-of-way Easement (Volume J, Page 394, Court Minutes) and the most southerly west line of said State of Texas tract (Volume 516, Page 563, D.R.C.C.T.), passing at 342.00 feet the common southeast corner of said Right-of-way Easement (Volume J, Page 394, Court Minutes) and the northwest corner of said Right-of-way Easement (Volume J, Page 396, Court Minutes), and continuing with the east line of said Right-of-way Easement (Volume J, Page 396, Court Minutes) and the west line of said State of Texas tract (Volume 516, Page 563, D.R.C.C.T.), 1,154.17 feet to the POINT OF BEGINNING and containing 53,824 square feet or 1,2356 acres of land, more or less..

Bearings for this survey are based on the Texas state plane coordinate system, NAD 83, referenced to City of McKinney control monuments CM06, CM08, CM10, CM12 and CM17.

A Plat of Survey of even date accompanies this Legal Description.

Prepared By:

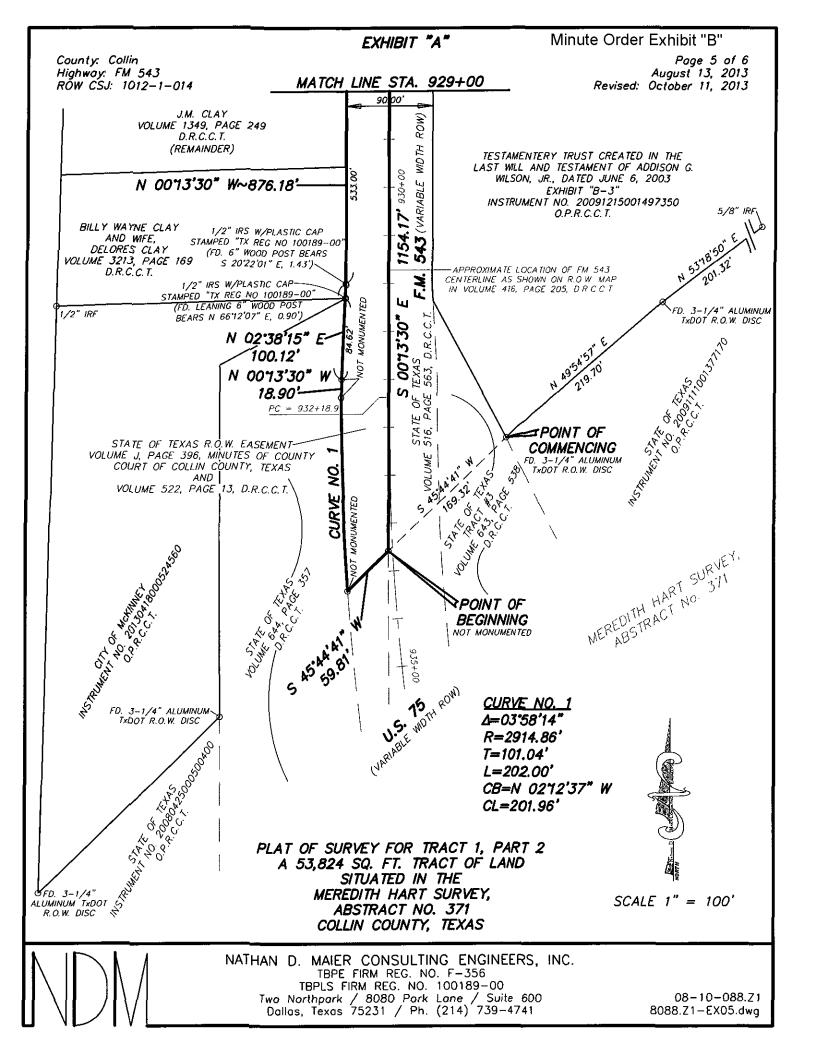
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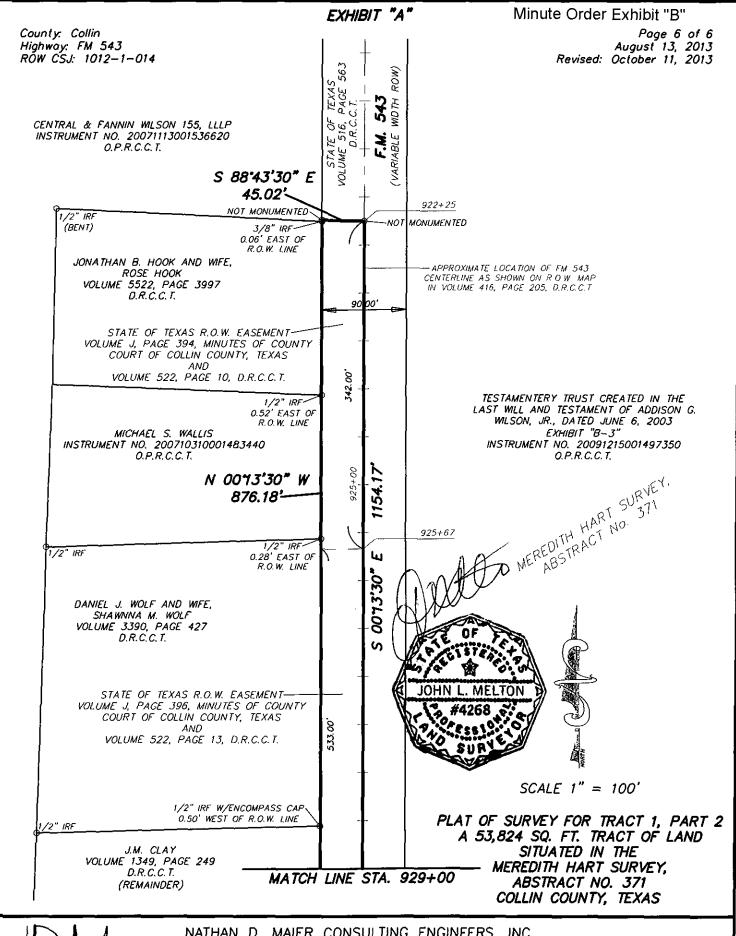
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